THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.18644 of 2006

Dated: 01.10.2007

Between:

Bandaru Basavaiah

.. Petitioner

And

The Commissioner, Endowments Department, Tilak Road, Boggula Kunta,
and others.

.. Respondents

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.18644 of 2006

ORDER:

Heard both the counsel.

2. The writ petition is filed for a writ of Mandamus declaring the action of the 2nd respondent in issuing the proceedings No.A4/13137/2005, dated 19.01.2006, by appointing the respondent Nos.3 to 7 as Trustees of Sri Nagendra Swamy Putta, Kattempudi Village, Ponnur Mandal, Guntur District as illegal, arbitrary and unjust and contrary to the provisions of Section 15 & 17 of the A.P. Charitable & Hindu Religious Institutions Act, 1987 and the Appointment of Trustees Rules, 1987 and violative of fundamental rights under Article 14 of the Constitution of India and consequently set aside the same and to pass such suitable order.

3. It is stated by the petitioner in the writ petition that he is native of Kattempudi Village and devotee of the subject matter of the temples. It is also stated that one Yarasani Nagabhusham donated the site for the construction of Nagendra Swamy Putta and one Singamsetti Venkata Chalapathi Rao, P.Krishna Mohan and Mallikarjuna Rao constructed the temple. It is also stated that the donors of the temple handed over the management of the temple to the petitioner in the year 1979. It is further stated that the Endowments department had taken over the temple and one N.Ravi Kumar, Executive Officer was appointed as

Single Trustee of the temple vide proceedings dated 20.05.2005. It is further stated that the 2nd respondent has to follow the procedure envisaged under Section 17 of the Act, 1987 and the Rules framed there under. It is further stated that as per Rule 4, the 2nd respondent has to issue public notice as per the procedure envisaged therein. Certain irregularities said to have been committed had been pointed out.

4. In the light of the facts and circumstances explained and also in view of the fact that it is brought to the notice of this Court that almost the period itself is coming to an end, no further orders need be passed in the present writ petition.

5. The writ petition is accordingly closed. No order as to costs.

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(P.S.NARAYANA,J)

Dt.01.10.2007
v v